

Appln No. 09/807,070  
Amdt date May 3, 2006  
Reply to Office action of January 6, 2006

### REMARKS/ARGUMENTS

Claims 1-26 are pending in the above-referenced application.

Claims 24-26 have been added to further define Applicant's invention.

This is a Response to the Office Action dated January 6, 2006.

Following Applicant's Notice of Appeal and Appeal Brief, the Examiner re-opened prosecution and issued the instant Office Action. By means of the instant Action, the Examiner has rejected claims 1-23 under §103(a) as being unpatentable over Brooks, Jr. et al. (US 6,067,530) in view of Mecker (US 5,883,371). In view of the remarks that follow, reconsideration and a notice of allowance are respectfully requested.

#### §103(a) Rejection of Claims 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19 by Brooks and Mecker

In rejecting claims 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, the Examiner contends that Brooks discloses a method of providing a communication interface for coupling a POS system to a cash management system essentially as claimed. Although the Examiner admits that Brooks does not disclose a cash management system including a cash dispensing function, which the rejected claims recite, the Examiner relied on Mecker to disclose a cash management system including a digital deposit dispensing safe. The Examiner then concludes that it would have been obvious to one of ordinary skill in the art to combine the two references "because it would eliminate the need for the store manager having to manually verify each cashier and also enable the store manager to spend less time counting money and more time servicing customers."

Of the rejected claims, claim 1 is an independent claim, which the other rejected claims depend, either directly or indirectly, therefrom.

Claim 1 recites a method of providing a communication interface for coupling a point-of-sale (P.O.S.) system to a cash management system having cash depositing and cash dispensing functions. the communication interface for providing communication between the P.O.S. system and the cash management system including providing software on the cash management system to permit operation of the cash management system over a communication link, and providing

**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

software on the P.O.S. system to permit control of the cash management system over the communication link.

Thus, claim 1 makes clear that, among other things, the cash management system have cash depositing and cash dispensing functions.

The Brooks, Jr. et al. reference (herein the "Brooks reference") is directed to a cash management system that tracks bills received at least one business establishment by cashier, by amount and by time while securing those bills immediately within a drop safe upon receipt from the customer in preparation for pickup by a courier service. (Abstract, Emphasis added). In the "Background of Invention" section, Brooks explains other prior art cash management system (CMS) as follows:

This cash management process in a retail store requires a "counting" to be done during each of four stages: (1) when the cashier makes change for the customer during the transaction; (2) when the cashier removes the excess cash from the cash register; (3) when the store manager retrieves the cash from each of the drop safes and then counts/verifies that the total of each cashier's drops equals the total sales rung up by that cashier; and (4) when the store manager assembles all of the cash drops into a single collection for preparation of a bank deposit, the manager must add up all of the cash and verify that the store's total amount of sales is equivalent to the total amount of cash that is in place. The counting of stages 3 (i.e., balancing by cashier) and 4 (balancing the entire store) can be summarized by the following audit equation, namely,

$$\text{Amount}_{\text{SAFE}} + \text{Amount}_{\text{REGISTER}} = \text{Amount}_{\text{RUNG UP}} + \text{Amount}_{\text{STARTING}}$$

In addition, in the present convenience stores owned by the Assignee of the present invention, namely Wawa, Inc., the cash management strategy is to not only track total revenues versus total cash on hand, but to track by individual cashier, the amount of sales that were rung up versus the amount of cash that that individual placed into the safe.

Appln No. 09/807,070  
Amdt date May 3, 2006  
Reply to Office action of January 6, 2006

However, such a four stage process involves redundant counting of money and is very complicated. It is, therefore, desirable to make only a single "count" at stage 1 and thereby eliminate duplicative counting at stages 2-4.

The cash management system of the present invention facilitates this audit by providing the store manager, as well as the store owner, with the amount of cash dropped in the safe, thereby eliminating the counting of stages 2-4. (Col. 1, lines 27-57, Emphasis Added).

The "DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT" section of the '530 Brooks reference further clearly describes a system that eliminates counting steps at stages 2-4:

The CMS 20 comprises at least one establishment subsystem 22 that tracks the bills received at that establishment (e.g., a convenience store) based on bill denominations and cashier that a particular cashier received while simultaneously securing those bills immediately upon receipt from the customer in an electronic drop safe 24. . . (Col. 5, lines 18-24)

The importance of the processing center 28 in the CMS 20, among other things, is that once the bill is "dropped" into the safe 24 by the cashier from a customer, that bill remains secured within the safe 24 until it reaches the security of the processing center 28. In other words, actual "bill counting" is eliminated at the establishment 22 which not only alleviates a time-consuming task of the store manager, but also minimizes any exposure that those bills have outside of the safe 24 at the establishment 22. (Col. 5, lines 35-44).

Once the canister 46 contained within the electronic safe 24 is full, it gets picked up by a courier service and process in the manner described with reference to the FIG. 1 flow diagram (See, e.g., Col. 5, lines 15-44, and Col. 8, line 63 to Col. 9, line 12). In short, as soon as money

**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

is tendered following a transaction, that same money is placed immediately into the CMS 20 system of the '530 reference. Most importantly, the '530 reference does not disclose the step of accumulating money in a register and then using the CMS to make or dispense change.

The Examiner relied on Meeker to disclose a cash management system including a digital deposit dispensing safe. The Examiner then concludes that it would have been obvious to one of ordinary skill in the art to utilize the cash management system including a digital deposit and dispensing safe as taught by Meeker into the system of Brooks because it would eliminate the need for the store manager having to manually verify each cashier and also enable the store manager to spend less time counting money and more time servicing customers.

According to the Abstract of the Meeker reference, the '371 patent is directed to the following:

A chamber has a safe and a bill receiver for validating bills of various denominations and for signaling the denomination of each bill. A cash dispenser mounted on the chamber dispenses cartridges containing units of cash one at a time in response to the bill denomination signal. An electronic cash control system is mounted within the safe and includes software for recording each deposit into the bill receiver, recording each withdrawal from the cash dispenser, and providing detailed reports of all such transactions. (ABSTRACT)

Each person authorized to access the safe disclosed in the '371 Meeker reference is provided with a distinctive PIN number for entry via the keyboard 22. The PIN number will identify the user and the extent of the user's authority, i.e., to deposit only, to deposit bills and receive equal change, to deposit bills and withdraw more or less money within preset limits, to withdraw up to a specified limit, to withdraw any amount, or to have complete access to the safe. Alternatively, or in addition, a Smart Card may be utilized for identification and authorization. (Col. 6, lines 40-48)

**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

Preliminarily, Applicant reminds the Examiner that to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. MPEP 706.02(j).

Furthermore, according to MPEP §2143.01, if the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.

As summarized above, Brooks sought to eliminate unnecessary handling of money by minimizing a typical four stage process<sup>1</sup> into a single step. Consequently, Brooks designed a system that transfers cash or money directly from a customer and then depositing the same directly into an electronic safe<sup>2</sup>. By modifying Brooks in accordance with the cash dispensing features disclosed by Meeker, the Examiner essentially introduces the very steps or stages Brooks sought to eliminate, which runs counter with the express teachings disclosed in the Brooks reference. Among other things, the added steps would reintroduce added auditing requirements, risk of theft or robbery, and human errors in the added step, which Brooks expressly eliminated.

Accordingly, Applicant submits that the combination of Brooks in view of Meeker is defective under MPEP §2143.01.

<sup>1</sup> The four stages are: (1) when the cashier makes change for the customer during the transaction; (2) when the cashier removes the excess cash from the cash register; (3) when the store manager retrieves the cash from each of the drop safes and then counts/verifies that the total of each cashier's drops equals the total sales rung up by that cashier; and (4) when the store manager assembles all of the cash drops into a single collection for preparation of a bank deposit, the manager must add up all of the cash and verify that the store's total amount of sales is equivalent to the total amount of cash that is in place. (US Pat. No. 6,067,530, Col. 1, lines 27-38).

<sup>2</sup> The CMS 20 comprises at least one establishment subsystem 22 that tracks the bills received at that establishment (e.g., a convenience store) based on bill denominations and cashier that a particular cashier received while simultaneously securing those bills immediately upon receipt from the customer in an electronic drop safe 24. . . (Col. 5, lines 18-24)

**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

Additionally, MPEP §2143.01 states that if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.

Again, Brooks discloses a system that collects money directly, via the attendant, from a customer and then stores the same in a safe to thereby eliminate 3 handling and counting steps. By converting the Brooks system as suggested by the Examiner, i.e., permitting cash dispensing capabilities as disclosed by Meeker, the Examiner impliedly changed the Brooks system so that a cashier now accumulates money and then at some point, requests change from the safe, which responds by dispensing the desired change. The modified system also implies that when a cashier or attendant is low on certain denomination, he or she can deposit money to get change.

The modified system clearly changes the principle of operation of the Brooks reference, which is impermissible under MPEP §2143.01. Among other things, the modified system interjects additional steps into a 1-step system thereby exposing it to additional risks and check points to unnecessarily guard. As such, the modified system changes the principle of operation of the Brooks reference.

Because claims 3, 5, 7, 9, 11, 13, 15, 17, and 19 depend, either directly or indirectly, from claim 1, they too are allowable for at least the same reasons as claim 1.

§103(a) Rejection of Claims 2, 4, 6, 8, 10, 12, 14, 16, 18, and 20-23 by Brooks and Meeker

In rejecting claims 2, 4, 6, 8, 10, 12, 14, 16, 18, and 20-23, the Examiner again relied on Brooks to disclose essentially as claimed but admits that "Brooks does not disclose a cash management system including a cash dispensing function. . ." The Examiner then relied on Meeker to disclose "a cash management [system] including a digital deposit dispensing safe (see abs., fig. 1)." The Examiner then concludes that it would have been obvious to one of ordinary skill in the art to utilize the cash management system including a digital deposit and dispensing safe as taught by Meeker into the system of Brooks for the same reasons given in previous claims.

**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

Because the Examiner relied on Brooks as the primary reference and sought to modify Brooks using Mecker as discussed above with reference to the allowance of claim 1, Applicant submits that the rejection fails for the same reasons as discussed above. Accordingly, because claims 2, 4, 6, 8, 10, 12, 14, 16, 18, and 20 depend, either directly or indirectly, from claim 1, they too are allowable for at least the same reasons as claim 1.

Independent claim 21 recites a method of providing a communication interface for coupling a point-of-sale (P.O.S.) system to a cash management system for providing communication between the P.O.S. system and the cash management system including providing software on the cash management system to permit operation of the cash management system over a communication link, and providing software on the P.O.S. system to permit control of the cash management system over the communication link, wherein the cash management system includes a user interface, and providing software on the P.O.S. system to permit control of the cash management system over a communication link comprises providing a user interface software on the P.O.S. system which emulates the user interface of the cash management system.

Claim 21 makes clear that it recites, in part, a method of providing a communication interface for coupling a point-of-sale (P.O.S.) system to a cash management system comprising providing a user interface software on the P.O.S. system which emulates the user interface of the cash management system.

Applicant submits that the Examiner failed to make out a *prima facie* case of obviousness by failing to provide or show, either in the Brooks reference or the Meeker reference, the recited limitation feature: "providing a user interface software on the P.O.S. system which emulates the user interface of the cash management system". Because no prior art reference has been shown to disclose the recited limitation, the Rejection of claims 21-23 is traversed.

#### New Claims 24-26

Newly added claims 24-26 include independent claim 24. Claim 24 recites a method of providing a communication interface for coupling a point-of-sale (P.O.S.) system to a cash management system having cash depositing and cash dispensing functions, the communication

**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

interface for providing communication between the P.O.S. system and the cash management system including providing software on the cash management system to permit operation of the cash management system including performing diagnostic functions over a communication link, and providing software on the P.O.S. system for performing the diagnostic functions on the cash management system over the communication link using a user interface device at the P.O.S. system.

Thus, claim 24 makes clear that it recites a method of providing a communication interface for coupling a point-of-sale system to a cash management system having cash depositing and cash dispensing functions and providing software on the P.O.S. system for performing diagnostic functions on the cash management system over the communication link using a user interface device at the P.O.S. system.

Because newly added independent claim 24 is similar in scope as independent claim 1, it is allowable over the Brooks/Meeker combination. In addition, claim 24 recites the limitation: "providing software on the P.O.S. system for performing diagnostic functions on the cash management system over the communication link using a user interface device at the P.O.S. system." Applicant submits that neither Brooks or Meeker, or their combination, discloses the recited limitation. Thus, even if the two references can be combined, they still failed to show each and every element of the claimed method.




**Appln No. 09/807,070**  
**Amdt date May 3, 2006**  
**Reply to Office action of January 6, 2006**

In view of the remarks set forth above, it is thought that the application is in condition for allowance and early notice thereof is greatly appreciated.

Should the Examiner finds it necessary to speak with Applicant's attorney, he is invited to speak with the undersigned at the telephone number identified below.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Tom H. Dao  
Reg. No. 44,641  
626/795-9900

THD/bl

BL IRV1095933.1-\*05/3/06 7:55 AM